

Diotrephes Catechised:
OR
Sixteen IMPORTANT
QUESTIONS

Touching the *ECCLESIASTICAL*

Jurisdiction and Censures (contradistinct to Civill) now
eagerly pretended to and challenged by a *DIVINE*
Right, by some Over-rigid Presbyterians, and Independents.
Propounded to both these Dissenting Parties, for the further Discovery
of Truth; the Preservation of the Civill Christian Magistrates Interest, and
speedier comprimising of our present unhappy Controversies touching

CHURCH-Government. On which many now so over-dote,
as to place the Whole Kingdome of Christ and substance of
Religion therein; to repute all our former Reformation, a mere
Nothing; the Church of Christ undone, and the exercise of their
Ministry, not onely fruitleſſe but unlawfull, so as they
cannot with good Conſcience continue, but threaten
to relinquiſh it, in case they cannot obtain their
demands of ſuch an Exorbitant power, by
Divine Inſtitution, which Christ and his
Apoliſes never claimed, exerciſed, nor
themselves, nor Predeceſſors, ever for-
merly enjoyed, petitioned for, or
pretended to in any age,
but this.

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Lu. 22. 24. 25. 26. Matb. 20. 25. 26. 27.

And there was a ſtrife among them, which of them ſhould be accounted the Greatt. But Jesus called them unto him and ſaid; ye know, that the Princes of the Gentiles Exercise Lordſhip (or Dominion) over them, and they that are great exercise Authority upon them; But it ſhall not be ſo among you; But whοſoever will be Great among you, let him be your Servant; Even as the Sonne of man came, not to be Ministered unto, but to Minister.

Pet. 5. 1, 3, 9. Feed the flock of God which is among you, taking the overlight, (or care) thereof, not by constraint, but willingly; not for filthy lucre, but of a ready mind, Neither as over-ruling, (or being Lords over) Gods Heritage, but being examples to the flock; Yea all of you, be ye ſubject one to another, and be cloathed with humility; for God refelleſt the proud, and giveth Grace to the humble.

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10 : *настасија* *под* *маки*

10

ЧИТАЮЧИЙ ПАМЯТНИК СКОПІЯ

СЛОВО ВЪ ПЕЧАТІ СВІДЧІТЬ

Чири (Нікіфорівській) від підприємства

Софіївського від 10 лютого 1860 року



Sixteene *Important Questions* touching the *Ecclesiasticall Jurisdiction and Censures*, Contradistinct to *Civill*, now challenged by a *Divine Right*.

The serious consideration of the *importunate Claimes* of a new kinde of *Ecclesiasticall Jurisdiction*, by a pretended *Divine Right*, by those very men who of late so eagerly declaymed against the *Old*, as *Anstichristian* and *Papall*, when challenged by our *Prelats* upon the selfe-same grounds and *Title*, hath indyced me to propound these few *Important Questions* to the over-eager prosecutors of this supposed *Divine Authority*, at leastwise to moderate, if not extinguish those unseasonable deplorable late kindled flames of *Contention*, which if not timely prevented, may prove more fatal to our *Churches*, *Kingdomes*, then all the former *Difventions*, and break forth into a new *Civill Warre*, betweene our selves, when we have totally vanquished the *Common Enemy*. The *Prelats* deserting of their undoubted *Jus huminum*, and unadvised challenge of a *Jus Divinum* to advance, perpetuate their *Jurisdictions*, and swearing men to this their *Title* by a new, &c. *Oath*, was the *immediate forerunner*, yea *principall meanes* of the utter subversion both of their *Hierarchy* and *Authority*. And wee have cause to feare that some over-ridged *Presbyterianians*, inconsiderate zeale, in waving the *Presbyterianall Authority* vested in them by an *unquestionable Ordinance of Parliament* (to their full contents as most men deemed;) and resorting to a more *dubious disputable* (pretended) *Jus Divinum* (formerly laid aside by both houses of Parliament and the Assembly, though now resumed, revived,) the more highly to advance and firmly settle it in our *Churches*, may produce the like contrary unexpected effects: and either revive the old exploded *Luciferian Episcopacy*, or introduce that more feared *Anarebicall Hydra* or *Bable of Independency*, which they most endeavour to suppress; or at leastwise revolve the *censorius* or *corrective power* of all *scandalous sinnes and sinners* into the *Civill Majestates hands*, the faire safest of the three: on whose behalfe, I shall with the spirit of *Peace* and *Meeknesse* propose these following *Queries*, beth to my *Presbyterian* and *Independent Brethren*; desiring their *acquiescens* in or *serious answers* to them after *sound deliberation*, laying aside all private *Interests* and *designes*, whatsoever, which may misguide their *Judgements* (for the sifting out of that one *Golden medium* of *sacred Truth*, which can only reconcile and cordially re-unite us in the *Bonds of Love*.

2. Whether all scandalous Sins and Offences now pretended by *Presbyterians* or *Independents* to be of *Ecclesiastical cognisance*, be not by Gods own Institution

(a) *Levit. 10.* Initiation and Command as well before, as under the Law, and through out the Old Testament,] inquirable, examinable, and to be determined, 4. to 8. *Deut.* 13. 4. to 18. *c.* In'ged only by the temporall Majestates, or Civil powers, and punished 17. 2. to 8. *10. f.* only with temporall or corporall punishments, not by any Ecclesiasticall 23. 10. to 10. 2. chron. 23. 17. *c.* Persons, Officers, or Church-Censures only, distinct from civill; since, were ad 15. 13. *Judg. 6.* that the severall scandalous sinnes of (a) *Idolatry*, (b) *Cursing*, *Blaspheming*, 30. 31. *1. King* (c) *Sabbath-breaking*, (d) *Disobedience to Parents natural or civill*, (e) *Whore- 18. 40. 2. King* domme, *Adultery*, (f) *Incest*, *Rape*, *Sodomy*, *Buggery*, (g) *Murther*, (h) *Witchcraft*, 11. 20. to 29. *c.* 11. 18. *Sorcery*, with sundry other sinnes, were by Gods owne precept, to be inquired after, censured, punished by the Temporall Majestate, civill Congregation, powers People and only, with civill punishments alone, as putting or 9. 6. 24. 10. 18. stoning to death, burning, hanging, f. *fixes*, stripes and the like, but never en 17. 1. *Kings* joyned to be examined, censured by Ecclesiasticall Persons, Officers or to be 24. 10. to 16. punished by them with Church-censures, as Excommunication, Suspension Dan. 3. 29. *Mat. 26. 65.* (e) *Exod. 21.* from the Pasceover, Circumcision, Sacrifices, Festivalls, or any 14. *Num. 15.* publike Ordinances then in use, or exclusion from the Temple or Synagogues, as the marginall texts demonstar. And more especially *Ezra. 7.* 32. to 37. (d) *Exod. 21.* 25. 26. where King *Artaxerxes* sending *Ezra the Priest* (descended lineally from the *High-Priests* before him, as is evident by v. 1. to 6) up to *Ierusalem*, with a speciaall Commission to repaire the City, Temple, restore the service of God therein, and settle the Government of that place according to the Law of God, gives him this command: *And thou Ezra, after the wisdome of thy God, that is in thine hand, set Majestates and Judges that may judge ALL THE PEOPLE that are beyond the River, all such as know the LAW OF THY GOD, and teach yee them that know them not: AND WHOSOEVER WILL NOT DO THE LAW OF THY GOD, and the Law of the King; let Indgement be executed speedily against him*, (not by 15. 17. 18. 25. *Levit. 18. 6.* *Ezra the Priest*, or any Ecclesiasticall Consistory or Presbytery of Priests, 10. 30. c. 21. 9. with meete Ecclesiasticall Censures of Excommunication or suspension John 8. 4, 5. from the Temple, or publike Ordinances of God, no such Church-Offi- (f) *Levit. 18. 22. to 30. c. 20.* cers, punishments being then known, or instituted by Gods Law; but by the 11. 10. 22. Majestates and Judges appointed, who were to punish them only with *Exod. 22. 19.* temporall Censures as the following words thus resolve) *Whether it be unto *Judg. 20. 1. to 10.* DEATH, or to BANISHMENT, or to CONFISCATION OF GOODS* 15. (g) *Cen. 9. 5. 6 or to IMPRISONMENT*: the only punishments, censures then inflicted *Exod. 21. 12.* on Delinquents against Gods Law, as well as against the Kings: *Yea had 13. 14. *Levit.* there bin any other Censures Ecclesiasticall distinct from their temporall, 24. 17. *Num.* which ought by any Divine Right or institution to have bin then inflicted 35. 15. to 34. 1 upon notorious scandalous offendours against Gods Law, by the high Priest, King 2. 3. 20. to 33. (b) *Levit. 20.* or any other Church Officers or Iudicatory, no doubt this devout King 27. *Deut. 1. 8.* upon this occasion would have expressly commanded *Ezra the Priest* him selfe, or those Church-Officers or Iudicatories to have duly executed the 11. 1. *Sam. 2. 8.* same, when he gave him this large Commission, and extended so much ex- (d) *Deut. 21. 1. 8* traordinary favur to him, that he cryes out in the very next ensuing 19. 29. c. 1. 2. 3. 2. *Cor. 11. 23.* words. v. 27. *Blessed be the Lord God of our Fathers, who hath put such a 24. 6. 5. thing as this into the Kings heart, &c.* Which as it expressly determines, that *Deu. 12. 47. 48.* this *Abs. 16. 22. 23.**

this Commission, and forecited direction was inspired into the Kings heart by God himselfe, and so most consonant to his written word and Law: so it infinuates, that by the Law of God in those dayes, all scandalous Offenders against Gods Law were to be punished only by the civill Majestates and Judges with civill punishments, not by any Ecclesiastical Officers, or Iudicatory, with any Church-censures whatsoever. This may be further evidenced by the Priests, Prophets, Peoples, and Princes proceedings against *Jeremiah, & Uriah*, who for preaching and prophesying faſſly, (as was supposed) were punished by the *King, and Princes, upon the Priests, Prophets, & peoples malicious accusation*, only by *Imprisonment & Death alone*, not by Church-cenaires, Church Iudicatories: Yea *Deuter. 13.5. False Prophets* throughout c. are expressly enjoyned to be put to death by the *Civill Majestates*, not punished by the Ecclesiastical powers with excommunications or suspensions. And it is most 33,c.37,38,19. cleare and undeniable by the *1 King 22. 26.27. 2 Chron. 16.10.c.18.35.36.* *c.8, & 39* *Matth. 14.3.4.5. Luk. 22.23. Acts 5.18.19.c.8.3.c.12.2.3.4.c.16.23.24.c.22. 19.20 to 30.c.24 & 25, & 26. 2 Cor. 6.3, Hebr. 11.36, 37.* That both in the old and new Testament *False Prophets, Teachers and broachers of Erronious Doctrins*; (or such who were so reputed though true) yea the *Apostles & Saints of Christ*, for preaching, professing the *Gospell and truth of God*, amonge the *Jewes and others who reputed it* *Heresie, Schism, or false Doctrine*, contrary to what they had formerly received, were usually conuerted before the *civill Majestates*, and punished with *imprisonment, stripes, putting or flogging to death*, and the like, but not with Excommunication, or any Ecclesiastical Censures of divine institution though now made matters of meere Ecclesiastical Cognisance. And if so; whether the Temporall Christian Majestates and civill Powers, as such, have not now the selfeame divine Authority to punish such sinnes and sinners under the Gospell, only with temporall punishments, without the interposition, Examination or Censures of any Church-Officers or Presbyteries, as the Godly temporall Majestates & Civill powers had then under the Law? If not, how the contrary can be evidenced by cleare Scriptures, and by what texts in particular?

2. Whether the texts of *Deut. 17.8. to 14. & 2. Chron. 19.8. to the end*, do warrant any *Ecclesiastical Jurisdiction, Congregationall or Clasſicall* in Causes merely Ecclesiasticall, or any meere Church censures, distinct from the *Civill Majestacy, and temporall Censures*, as some new pretend? Whether the genuine scope and ſence of these texts hold forth any more or other jurisdiction and power in the *Priests, Levites, or High Priest* himſelfe, then this: That they joyntly with the *temporall Judges, and chiefe of the Fathers of Israel* [not alone by themſelves] ſhould reſolve (not ordinary, plaine, or undisputable, but only) *all such doubtful, civill cases, or controversies* which the *ordinary Judges or Majestates in their Cities held dubious, or too hard for them to determine aright, between* [not scandal and scandal, or who ſhould be excommunicated, ſuspended from the Ordinances as scandalous, ignorant or unſit, and who not but between blood and blood, plea and plea, ſtrike and broke, (being matters of civill controverſie) in their gates; and between Law and Commandement, Statutes and Judgments [to wit the *Judicall written Law of God*] upon whole expofition any civill doubts, or controversies ſhould

arise which the people themselves could not resolve,] whose superior resolutions they should submit to, and proceed accordingly to execution; and he that would presumptuously disobey and not submit to their sentence, was not to bee excommunicated or suspended, * but put to death; (a mere civill censure) to terrify others. And if this only be the ful sense and meaning of these texts, whether any episcopal, Presbyteriall, classical or congregationall Jurisdiction to correct scandals with meeble Ecclesiasticall censures can be deduced from them? Whether that speech of Iehoshaphat 2. Chron. 19. 11. *And behold Amariah the Chiefe Priest is over you in all matters of the Lord* (not scandalous sinnes and Ecclesiasticall Offences committed by the Priests or people, no matters of the Lord, but sins of men, detested by the Lord;] simply or necessarily enforce, that he had any Ecclesiasticall Jurisdiction in point of judicature, to censure, punish all or any sort of scandalous sinners with Church censures [of which there is not one fassible in the text] vested in him by any divine Authority? And if so, whether it makes not more for Papall and Archiepiscopall, then Presbyteriall, Clasicall, or Congregationall Authority? this power or superintendent Jurisdiction over all matters of the Lord, being vested in this *High Priest alone*, and no other. Or rather, whether it be not clearly meant, that as King Josiah himselfe did by his own *Regal Authority* appoint Judges in the Land and in Jerusalem, in the preceeding 5. 6. 7. 8. 9. & 10. ver. to determin all controversies & punish all Offences whatsoever, according to the Lawes of God and that Kingdom; so he did by the selfesame regall Authority appoint Amariah, then chief Priest, over the Priests & Levites only, [implied in the word *You*, not over the people of the Land; in all matters of the Lord, that is to Order, direct the Priests and Levites under him in their severall courses, and all matters whatsoever concerning the worship, service, Oblations, and sacrifices of the Lord, to be performed by them in the Temple at Jerusalem: in the selfesame manner, as he set Zebadiah the Ruler of the House of Judah, over all the Kings matters; in the very next ensuing words? That is, (as all consent,) not over the people and Kingdome for to judge and governe them, for that the Indges forementioned were to do; but over his househould, Lands, Revenewes as his Lord Treasurer, or Lord High Steward of the Revenewes of the Crowne, as the comparing of it with 2 Chron. 26. 30. 33. *(And of the Hebronites, Hushabiah and his Brethren, men of valour a thousand and seven hundred were Officers among them of Israel on this side Jordan westward IN ALL BUSINESSES OF THE LORD, & in the service of the King, &c. And his Brethren, men of valour were two thousand seven hundred chief Fathers, whom King David made Rulers over the Rubenites, Gadites, and the halfe Tribe of Manasseh, for EVERY MATTER PERTAINING VNTO GOD and Officers of the King,) joynitly: (therefore Church Officers made only by the King, and alterable at his pleasure, not by any Divine institution of God himselfe;) and the parallelling it with these explanatory texts, 1 Chron. 9. 10. to 35. c. 23. & 24. & 25. & c. 26. 2 Chron. 3. 7. to 24. c. 8. 14. 15. c. 13. 9. 10. 11. 12. c. 26. 16. to 21. c. 29. 3. to 35. c. 30. & 6. c. 31. 2. 3. 11. to 20. c. 35. 2. & 3. Ezra. 6. 17. 18. Neh. 8. 1. 49. to 47. compared*

compared with *Heb. 5.1.2.* For every high Priest taken from among men, is ordained for men IN THINGS PERTAINING To GOD, that he may offer both gifis and sacrifices for sinnes, &c. infallibly demonstrate? And if so, then what Divine warrant is there from hence for any such Ecclesiasticall Jurisdiction distinct from the Temporall as many now contend for, from these two noted Texts? or for any Priests, Ministers of the Gospell, or Church Officers distinct from the temporall Majestacy, to examine, correct any scandalous Offences by a mere Ecclesiasticall power, or to punish them with Church Censures, different from civill punishments?

3. Whether the Priests Jurisdiction to judge of [*l*] all causes of Leprosies no scandalous sin nor offence, but a mere naturall infirmity,) and that only a. & 14. among the Jewes, yea as well in *Houses, Garments, Vessells,* [no subjects of Ecclesiasticall censures] as *Persons*: or their proceedings in the case of [*m*] Jealousie, by vertue of expresse speciaill Leviticall or Judiciall Lawes (the only *m* Numb. 5. cases wherein the Priests were appointed to be as Judges in the old Testa- 12. to 31. (n) Exod. 30. ment, whose proper Office was, [*n*] to offer sacrifices and make attonement for 10. Leu. 4. and sinnes, not to censure or punish them;) bee any infallible prooef of the Aarone- 5. c. 6.7. c. 7.7. n. Num. 8.19. n. c. 15.25. &c. Hebr. 5. 1,2,3. n. Ecclesiasticall Indicature or Jurisdiction to censure all spirituall Leprosies of the soule with Church censures? Or of the Ecclesiasticall jurisdiction of *Presbyteries* or *Independent Congregations* to judge or censure all causes of spirituall Leprosy, or scandalous offences under the Gospell? And whither wee may not as soundly argue from the Writ, * *De Leproso amovendo*; and the Statute of *1. Iac. chap. 31.* as they from these Texts; *Majors, Bayliffes of Townes, Justices of Peace, Constables* and other Officers may lawfully remove Lopers, and shew up persons infected with the Plague of Pestilence, Ergo, they may excommunicate and suspend from the Sacrament all such as are scandalously or notoriously infected with the Leprosie and plague of sin?

4. Whither, *Deut. 13.12,13,14. Josh. 22. 10, to 34. Judg. 20. 1. to 18. 2 Chron. 19. 9. to 11. Ezra 10. 16, 17.* [where we read of temporall Officers, Princes sent and employed Commissioners, as well as Priests, to inquire after Idolaters, Idolatry, rapes, mariages with heathenish Wives, and other Ecclesiasticall crimes] compared together, bee not a stronger Scripture evidence for prooef of the Parliaments, and *Lay Commissioners* Authority, to enquire after, yea punish Idolaters and scandalous sinners; then any texts that can bee produced by the *Presbyterians* or *Independents* out of the Old Testament for probat of a divine right, either in their *Clases, Presbyteries, or Independent Congregations* to censure scandalous sins and sinners with Ecclesiasticall censures? And whither the *Statutes of 26. Hen. 8. cap. 1. 31. Hen. 8. c. 10.* [appointing a *Lay Vicegerent* in all Ecclesiasticall matters] 37. *Hen. 8. c. 17. 1. Eliz. 6. c. 2. 2. Eliz. c. 1.* do not justifie such Commissioners to be legall as well as these texts, warrant them to be in some sort divine? Whether there bee any precept or president in all the Old Testament directly or punctually determining, that there was by divine institution an unquestionable Ecclesiasticall jurisdiction vested by God Himselfe in Priests, Levites, or any Jewish Officers, to examine witnesses upon Oath,

convent or censure any scandalous sinners by excommunication, or suspension of them from the Tabernacle, Temple, publike Assemblies, Synagogues, Sacrifices, solemn publike Festivals, or other sacred Ordinances for any scandalous sin whatsoever? If so, then what are these precepts, presidents, and scandalous sins in particular? And whether it be probable they had any direct authority given them by God himselfe, to suspend or put backe any from the Sacraments of Circumcision, or the Pascoover (which Baptisme and the Lords Supper now succeed) since both of them originally were or-

(6) Gen. 17. ordered to be performed in private, by the [o] Parents or Masters of the Family, not Priests or Levites; and executed or eaten by them in their 4. c. 24. 22. 23 (p) severall private houses, where the Priests and Levites had no Ecclesiastical jurisdiction that we read of, and were not present at these sacred actions 48. c. 4. 24. 25. 26. Luk. 1. 42; unless onely at some few solemn generall Pascoovers at Ierusalem, where John. 7. 22. they were but Ministeriall, to [q] helpe kill the Pascoover, and sprinkle the Josh. 10. 23. 7. bloud, not Magisteriall, to keep any backe from eating thereof, by any pretext of Ecclesiastical Authority?

(7) Exod. 12. 2. 4. 15. 21. 40. 46. Mat. 26. 17. 20. 16. Mar. Priests, and Levites had under the Law? And whither Christian Kings, 14. 12. to 19. Magistrates have not as large an Ecclesiastical power and Authority under (7) 2Chro. 32. the Gospell, as any godly Kings or Magistrates exercised under the Law? 23. to 25. 33. If you answer Negatively to the first, and affirmatively to the latter of these 1. to 20. Ezra. 46. 18. to 22. demands; then how can that Ecclesiastical jurisdiction of Presbyteries or 1. Cor. 10. 1. to 2. compared Congregations, and their power of Church-censures, distinct from the civil Magistracy, be any way justified or maintained by the Scripture? If affirmatively in the first, and Negatively in the latter, then shew us direct Scripture Authorities to convince our judgements of what you thus assert,

or else give over your pretence of *Ius divinum*? It is confessed both by the *Presbyterians, or Independents*, and cleare by sundry expresse texts, that Christian Magistrates are *Jure divino*, and have an undoubted divine Authority, yea command to punish and cut off all scandalous sinners, *Psal. 100* 5. 7. 8. *Rom. 13. 1. to 8. Pro. 20. 26.* Whether Presbyteries, or Independent Congregations, have any divine Ecclesiastical right to punish them with Church censures, is very disputable and denied by many. Therefore it is the safest, readiest way to Unity and Reformation, to remit the punishment of all scandalous offences to the civil Magistrate, rather than to the pretended disputable questioned authority of Presbyteries, Classes, or Independent Congregations.

7ly, whether there be any expresse texts in all the New Testament, and what in particular, which infallibly evince an Ecclesiastical jurisdiction by divine right to be settled by Christ in all Christian Ministers, Presbyteries, or Congregations, & in which of them in particular, to continue unalterably in all Churches of Christ to the end of the world, for the excommunication or suspension of all kinds of scandalous persons from the Sacraments, though they externally pretend and profess their sincere repentance in general? Or any certaine rules prescribed them in the Gospell, and in what par-

* See Quæsti-
on 1. in the
Margin.

particular Texts for the due execution of this jurisdiction in * all cases or scandals that may happen? If not, whether it can probably bee imagined, * I am confi-
dent th^t re a e
that Christ in his wisdom would erect, institute and vest an Ecclesiastical Government in Church officers, without prescribing them any certain rules *caes in Summa* wherby to manage it in all particulars, and leave them to proceed in an ar- *angelica, Ro-*
bitrary way, according to their meet pleasures, contrary to *Mat. 28. 19. 20.* *selia, Hosli-*
If yea, then produce these texts to us for our satisfaction. *ens, Antoines*
Corfe us, The-
Zeulaz; and
other Canonists

8ly. What rules or presidents are there in Scripture to receive parties grieved by unjust Ecclesiastical censures either by appeals or other wayes and to what superior tribunals? If no such rules or presidents appeare therin; (admitting Presbyteries, or Congregations Ecclesiastical jurisdictions, censures to be *jure divino*) then whether by Gods own Law wh^t provides them no relief, the parties injured must not remaine remediles when most injitiously sentenced by any private Presb^tery, Classis, congregation without any help or benefit of Appeal to Provinciall, Nationall Synods, Parlia-
ments, or the Civill Magistrate? And if so: whether this wil not introduce as many absolute tyrannies, and arbitrary Tribunals (against which we have so much contested of late) as there are Presbyteries, or Congregations: especially if we grant them a generall power of all things they themselves shall judge to be scandals, without confining them to particulars, or estab-
lish their jurisdictions by a divine right, which no meet humane power or institution can control?

Ninthly, whether if Christ hath instituted or left any exact Ecclesiastical jurisdiction, discipline or power of censures to his Church distinc-
from the civill Magistracy and censures, this pretended jurisdiction, discipline or power be so absolute and sufficient of it self alone, as to be fully able to correct, redresse, reforme all abuses, scandals, corruptions, and up-
prese all Heresies, Schismes, Errors, Vices, arising in every Church? If not, then we may justly suspect, it is no reall jurisdiction nor discipline insti-
tuted by Christ, who would [r] institute and bequeath no incomplete, nor *(r) Deut. 22. 4*
imperfect jurisdiction, judicatory, or discipline to his best Beloved Spouse the *1 Sam. 22. 31.*
*Church: If yea, whether is that jurisdiction now contended for by Presb^to-*Psal. 19. 7.**
*rians or Independents, such? If so, then it is compleat, and every way self-*2 Tim. 3. 1.**
sufficient without the concurrence or assistance of the Christian Magistrate or any temporall authority to assist, maintaine it, or supply its defects: But this none can truly assert nor affirme.

For First, no Presb^tery, Classis, or Independent Congregation hath yet challenged, nor can claim by divine right, any coercive power by way of attachment, imprisonment, or fine, to bring any party or witness summoned so much as to appear before them, in case of wilfull neglect or refusall to appeare, or bee examined, to prepare any cause for sentence.

Secondly, In case any Ecclesiastical Censure of Excommunication or Suspension be inflicted by them upon scandalous persons after full hearing, if they absolutely contemne the same or refuse to conforme themselves, or by open violence intrude into the Congregation, Church or force the Minister to give the Sacrament to them though excommunicated or suspended.

Thirdly, In case any *Heretike, Schismatike, or prophane person* shall wilfully separate from our Congregations, (as thousands now doe) refusing to communicate with us in any Ordinances, proclaiming us to bee no Churches, and passe a schismatique sentence of *Non-Communion* with us, by reason of some unjust exceptions or pretences against our Orthodox Doctrine, discipline, or forme of Government; and thereupon refuse to appeare before our Presbyteries, Congregations, or to submit unto their jurisdictions or censures; in all these and such like cases, the pretended divine Ecclesiastical power, censures of Presbyteries, Classes, or Independent Congregations are at a *Nonplus*, & so defective, invalid of themselves to enforce obedience to such contumacious, or reduce, reclaine such heretical, schismatique, or prophane persons from their obstinacy, Heresies, Schismes, and neglect of publike Ordinances, that they are enforced to pray in ayde from the *Civill Magistrate* by *Capias excommunicatum, imprisonment, fines, or other such civill compulsory means* (the only effectuall course by way of censure used in all ages to suppress, reform^[*] Heresies, Schismes, and the only way to suppress, redresse them now) without which all their Ecclesiastical censures, are both contemptible, ineffectuall, and altogether insufficient to reforme abuses: So that if the Magistrates be *Infidels, Hereticks, or Schismaticks*, who will not; or prophane, negligent, timorous or licentious persons, who care not or dare not to assist the *Presbyteries, Classes, or Congregations*, in forcing submission to their Church processes, censures, they are so defective and ineffectuall of themselves, that none can justly call, or infallibly prove them to be the Kingdome, Scepter, Government, discipline and censures of Christ, whereby his Church must onely bee governed, purged, reformed, as some now pretend them to be.

(*) I am affi-
red a speciall
(much defi-
red) active
Committee to
examine and
punish the
broachers of
new blasphemous,
Hereti-
call Ana-
baptistical
Errors, and
gatherers of
Schismatique Conventicles, would more suppress them in one month, then all Ecclesiastical Judicatories in an age. See *Inflammati*: *Cod. 4.1. Tit 4.6. 8. & Codex. Theod*: *bb. 16*. Where we find obstinate Hereticks and Schismaticks, by temporall Lawes thus punished and suppressed: 1. They were disabled to inherit by descent, or to purchase any Lands; to buy, sell, make any contract, Will, or take any Legacy: to sue, or to be witnessess in any Court of Justice: to beare any Office, Civill, or Military; to bee present at any Councils or elections, or to List themselves Souldiers in the Army, whence they were cashiered when detected to bee such, 2ly. Their goods were all confiscated, or went to their nexte heires that were Orthodox: their persons banished, and in some cases imprisoned and put to death, 3ly. Their heretical books were prohibited and burnt, the Houses where they kept their Diurnall or Nocturnall Conventicles confiscated, if kept there, with the Owners privity or consent: If by the tenants privity without the Land-lorde, if the Tenant were poor; then he was publikely bastanadoed or whipt, if rich then fined; and their Conventicles both in Churches and private places prohibited, suppressed, under severe penalties. By these meanes and censures alone Hereticks, Heresies, Scismaticks, have alwayes bin suppressed, restrained, in former ages; but never by Church censures, which they both derided and contemned. See *Frid. Lindbergus Codex Legum Antiqui*: *Legei missi gothor, lib. 12. Tit. 2. Lex. 2. Neap. 1. Tit. 1. 2. Capital*: *Karoli & Lud. 1. 5. tit. 183. Pauli Geschimii, constit: Caroline, Rubr. 3. 4. 5.* with our own Statutes against Reculants, and Hereticks; And these wil be the only meanes to suppress them now.

10ly. Whither *Matib. 18. 15. 16, 17.* (if meant of Christian *Presbyteries or Church-officers*, as is pretended, not of the civill Magistracy or Jewish Sanhedrim;) gives any authority to them to proceed *ex officio* against notorious scandalous sinnes [as *Idolatry, Blasphemy, swearing, drunkennesse, &c.*]

&c.) since it speakes not of any publike scandalous offences against God and the Church, but only of private personall ^{*} trespasses between man and man, to bee proceeded against only upon the voluntary complaint of the party offended, after previous private admonitions, and then reproofes before witnesses, yea, of such offences, *which upon private satisfaction we are to forgive 77. times*, without any publike complaint, or censure, *Luke 17. 3. 4.* Therefore not meant of meer publike scandals, which no private man can remit, nor no Church or Presbyterie will grant that they ought to bee 77. times remitted one after another, without the least *suspension or excommunication*, upon meer external shewes of Repentance: And whether, thou hast gained thy brother, in this Text, be meant properly of gaining for a trespass him to God by true Repentance, or only unto him who gaines him, by way of reconciliation, and renewing friendship, as the phrase it selfe, compared with *Prov. 18. 19.* intimates.

11ly. Whether, *Acts 15. 1. to 36.* where a *Synod of Apostles, Elders, and Brethren* met together at *Jerusalem*, to debate and resolve a dubious point of doctrine onely about circumcision, without exercising any act of discipline or Ecclesiastical censure on any scandalous person, be a sound divine Authority, to evidence to any mans conscience, the Divine Right of *Presbyteries, Classes, or Independent Congregations*, to inflict Ecclesiastical censures upon scandalous Delinquents, or to examine witnesses upon Oath against them, of which there is not one fillable in that Text?

12ly. Whether the precept of *Paul*, *1 Cor. 5. 13.* for putting away from among them the incestuous person, written to this particular Church in this one case of Incest onely, against which heinous scandalous sinne, being then under Heathen Magistrates, they could not safely complaine to them of it without great scandal, nor go to Law before them for ordinary just civil things without great offence, as appears by the very next words, *1 Cor. 6. 1. to 9.* when as by the Law of God, had the Magistrates there beeene Jewes or Christians, this sinne of *Incest* was to bee punished by them, not with excommunication or suspension from the Church, but death it selfe, *Leviticus 18. 8. c. 20.*

11. 12. Be any satisfactory or infallible argument for the continuance and exercise of Excommunication, or Suspension from the Sacrament in all Churches of Christ in all succeeding ages in all other cases of sin or scandal, though the Magistrates in them be christians, and may, yea ought to punish those sinnes with death or other temporall censures, if complained of? Whether those that preesse this text, may not as well conclude from the very next words *1 Cor. 6. 1. to 9.* that it is unlawfull for Christians to go to Law before any Christian Judges now, and that they must sue only before Presbyteries or Congregations for meer temporall matters, because *Paul* then commanded the *Corinthians*, not to goe to Law before heathen Judges to prevent scandal, but only in the Church before the *Saints*, or such Judges as the Church should appoint them? As inferre, that all Scandalous persons must be excommunicated and suspended from the Sacrament by Classes Presbyteries, and censured only by them now, not by the Christian Majistrate, because the incestuous *Corinthian* was then Ordered to

^{* So this word}
Trespass is used
here, and in,
Mat. 6. 14, 15. 2

Luk. 17. 3, 4.
Gen. 31. 36.

cap. 50, 17. 1.
Sam. 15, 28.

Though some
falsly aver it is
never used in
Scripture but
for a trespass
or sin against
God.

be put away and punished by the Church and Saints of Corinth, for want of a Christian Magistrate to punish him with death, or corporall censures ? Yea whether they may not as Logically and Theologically argue from the very next chapter. *1 Cor. 7. 27.* where Paul writes thus: *I suppose therefore that this is good for the present distresse (or necessity) for a man not to touch a Woman, or marry; Ergo, it is lawfull, yea necessary for Christian men or Women in all ages, Churches of Christ to vow perpetuall Virginity, and not to marry at all*, as the Papists thence inferre in defence of their Monks, Nuns, and unmarried Clergy. A straeton from this text, That Paul in regard of the Corinthians present distresse and necessity for want of Christian Magistrates to punish this *incestuous person* with death and civill Censures adviseth the *Church of Corinth, To put away from AMONG THEMSELVES that wicked person*; [or thing as some read it:] Ergo all Ministers Presbyteries, and particular congregations of Christ have a divine inherent Ecclesiastical right and power in them to punish not only incestuous persons, but all other scandalous sinners with Excommunication, suspension from the Sacrament, & other Church censures, even when & where there is no such necessity nor defect of Christian Magistrates, but sufficient store of them both able and willing to punish such with civill punishments answerable to their crimes and scandals ? This is all that can be extracted from this text, whereon they most realy; Which must needs bee a grosse inconsequent because no Apostolical advice to any one particular Church upon a private extraordinary occasion and necessity onely, can or ought to bee a generall binding Law or Institution of Christ to oblige all other Churches whatsoever in the like, or any other cases, where there is no such extraordinary occasion or necessity ; As is cleare by one pregnant evidence in the 16. chap. of this very Epistle, c. 1.2. concerning the Collection then advised to be made for the Saints, by the Corinthians every first day of the weeke, or weekly; which being but a particular advice and direction to this Church for the one Collection; is no binding Law or Rule to all other Churches of Christ strictly to imitate in all their ensuing Collections, as is evident by *Act. 13.28, 29, 30. 2 Cor. 8. 1. to 21. c. 9. 1. to 15, Rom. 13.25 26. Phil. 4.14. to 20.* Elie no Church could since appoint any publike monethly Collections on weeke dayes, but onely weekly Collections on the Lords-Day, under paine of transgressing the institution of Christ and this Apostle ; which none dare averte : However, since the Apostle writes not here to any *Classis, Presbiterie, or Presbytors*, but to the whole Church at Corinth; **TO PUT AWAY FROM AMONG THEMSELVES that wicked person**: [that is, to seclude him wholly from their *Congregation, Church, company*, and not so much as to eat with him at their *Tables* or keepe any company with him at all, as is evident by ver. 7. 9. 11.] not to suspend him onely from the *Lords Supper* [of which there is not one syllable in this Chap. nor of any such suspension in the 10. & 11. chap. where he purposely treates of this Sacrament; we may very well question, whether it makes not more against Presbyteries and Classes divine power of Excommunication, and a bare suspension,

* See Ruth triumphing over falsehood p. 155. 156. to be made for the Saints, by the Corinthians every first day of the weeke, or weekly; which being but a particular advice and direction to this Church for the one Collection; is no binding Law or Rule to all other Churches of Christ strictly to imitate in all their ensuing Collections, as is evident by *Act. 13.28, 29, 30. 2 Cor. 8. 1. to 21. c. 9. 1. to 15, Rom. 13.25 26. Phil. 4.14. to 20.* Elie no Church could since appoint any publike monethly Collections on weeke dayes, but onely weekly Collections on the Lords-Day, under paine of transgressing the institution of Christ and this Apostle ; which none dare averte : However, since the Apostle writes not here to any *Classis, Presbiterie, or Presbytors*, but to the whole Church at Corinth; **TO PUT AWAY FROM AMONG THEMSELVES that wicked person**: [that is, to seclude him wholly from their *Congregation, Church, company*, and not so much as to eat with him at their *Tables* or keepe any company with him at all, as is evident by ver. 7. 9. 11.] not to suspend him onely from the *Lords Supper* [of which there is not one syllable in this Chap. nor of any such suspension in the 10. & 11. chap. where he purposely treates of this Sacrament; we may very well question, whether it makes not more against Presbyteries and Classes divine power of Excommunication, and a bare suspension,

of scandalous persons from the Lords Supper only, without secluding them from all other Ordinances and Church Assemblies as well as it, then for *Alexas. A*
sis sum. T. Colli
them; it being contrary to the very definition & practice of excommunication pars 4.q. 21.
hitherto knowne and used in the Church, to Excommunicate a notorious 22. *Socus in*
scandalous person from the Lord supper only once a Moneth, a quarter, a 4. *Sent. dist. 23*
yeare, for feare of infecting others, and yet to admit him daily or weekly *Thomas, R*
to joy ne with the Church in all other Ordinances but it alone: when all *ebardus, Rain*
[a] Schoolmen, b] Canonists resolve, that excommunication especially that they *datus, Duran*
call Major Excommunication j excludes men, not only from the Sa. dist. 18. p. *Biust*
grament, bns likewise from entring into the Church, the society of men, prayers of *feidus enchi*
the faithfull; and those who wittingly keepe company, buy or sell with such, are to *red Tholli*
be ipso facto excommunicated. Whereas many now pretend it should seclude pars 5.c.1.
men from the Lords Supper only, but not from any other Ordinance, con- *(b) Gratian*
trary to this, to c other Texts and all sound Antiquity. *Caus. 11. qu.*
3. Summa An-
gelica, & Ro-
sellis. Tit. Ex-
communicatio
Hofstensis
Sum. 1.5: Tit.
De Sentent.
Excom. Anto-
ninus Corsetus
Tit. Excom.
Bochellus, De-
cret. Eccles.
Gall. 12. Tit.
14.
1 Thes. 3.14.
2 John 10. 11.
2 Tim 3.1. Tit
3.19.11.3. c.3.
John 10 Rom
16.17. John 9.1.
22.32.33 cap.
12.42. c.16.2.
Numb. 5.1. 3.
4.c. 21 14.15
Deut. 23.1.2.3
** See Deut.*
17.14, to 21
2 Sam 7.8; c.2.
32.1,3,
1 Kings 17. 9.
2 Chiron. 9. 3.
3.20.13.
Isay 49.22.

13ly. Whether there be any ground or example at all in Scripture to en-
joyne the Civill Christian Majistrate, in cases of obstinacy, contumacy a-
gainst Church censures, inflicted by Presbyteries or Congregations to be-
come a meere servant and executioner to Pre,byteries, Congregations or
Church-Officers, (as the Pope and Prelates anciently made them,) to en-
force obedience to their censures by imprisonment or other coercive
meanes, without any particular examination of the merits of the cause, or
justice of the proceedings? Whether such Ministeriall executions of their
censures, if admitted, do not necessarily subject the people to a double ju-
risdiction, vexation, for one & the selfsame scandalous crime, which may
prove more intollerably oppressive to them then the most exorbitant coun-
try Committees, or *Prelats consistories*, if not exactly bounded & subordinat.
the *Majestacy* to the *Ministry, Presbryery* and particular Congregations
in point of Authority & which if obliged by any divine Law to see Church
censures executed and enforce obedience to them then certainly Christian
Majistrates as such, must either be Church Officers as well as Ministers, or
Lay-Elders; the rather because all Precepts given to *Majestates* them-
selves in Scripture, are given only to such, * *Godly or Christian Majistrates*
who believe, embrace the Scriptures, and are Members of a visible Church
or Christian state, as such; not to any Infidells or Heathen Majistrates,
as heathenish, or meere Majistrates out of the Church (as some grossly
mistake,) else they were not obliged by Gods Law to see Church cen-
sures executed, obeyed, submitted too, if no Church officers.

14v. Whether it be not more agreeable to the word of God, the Rules
of Justice and more conduic to the Churches Peace, for the *Civill M.* - c.19.5. to 22.
jeffrate judicially to examine, punish all pretended scandalous persons with 3.20.13.
temporall censures and then, if they still continue impenitent to certifie Isay 49.22.
the proofs taken before him to the Presbyterie, Cisis, or Congregation,
upon their request, for their conviction there to ground an Excommuni-
cation or suspension upon, if there bee cause: then to give them im-
mediat power to examine all scandalls themselves upon Oath, without first
acquainting the Civill Majestate with it, or desirring his ancedens ex-

amination of the scandalls, of purpose to subject them to Church censures? Since wee read of no such Examinations upon Oath practised by *Presbyteries, Church.Officers*, or particular Congregations among the Jewes or Christians in Scripture: which if taken in writing and recorded (as they ought to be, that so they may be produced, scanned upon Appeals) there must then be a particular examiner, or *R. & J.fer* at least appointed in every *Presbyterie, Classis, and Provinciall Synod* to record them; for which they will expect a constant Fee from the Church or State, or an answerable recompence from the parties accusing or accused; which cannot be settled without *Act or Ordinance of Parliament* (being new Fees and Offices) and so it will draw a very great unnecessary charge (farre greater then that of Bishps and their Officials) upon the people, which they wil very unwillingly beare. In which regard it is fitt the civill Majestates or Justices of Peace shoud only take the Examinations, of scandalls as they do in cases of *Felony and other crimes*, and certify them to the Presbyteries, or Classis, as there shall be need.

15ly. Whether it be not both unjust and unreasonable to pesse the Parliament to settle any kinde of Church-government as prescribed *Iure divino* before it be clearely demonstrated or manifested to their Judgements consciences to be so, by perspicuous undemyable proofes from Scripture? Or to impertune them to grant any unlimited arbitrary power to *Classis, Presbyteries, or Congregations*, to judge of unknowne contingent scandalls, (never yet thus censured from Adams or Christs dayes til now) before they can so much as conjecture what they are, or where ever they will bee perpetrated in our Churches? since offences always use to *b. preced. Laws* made to punish them; and, *ex malis moribus optime oriantur leges*, as all Polititians have resolvd? Whether the demanding of such an unlimited power to be now established, be not as bad yea more unreasonable then the late Prelates, &c. *Oath* (most justly danined declaimed against,) and favors not more of *wilfullnes* then *Conscience*, of the spirit of [i] *Diotrephes*, then of *Christ*, of whose Kingdome some pretend it to bee a most necessary and inseperable Branch? And whether any Prophet, Apostle, Godly Presbyter, privat Congregation or Classis, in the primitive Church, ever sollicited their *Princes or Parliaments* for such an exorbitant unlimited power?

16. Whether Christian Princes and Majestates *indulging* of over-much power, Honour, and Ecclesiastical Authority in point of *Jurisdiction, Church Censures, and Excommunication* in former ages to the Clergy, under this apprehention, perswasion, that they were most pious, conscientious, holly, moderat, just and humble persons who would exercise it for Gods Glory only, and the Churches good; hath not beeene the true Originall cause of all that *Antichristian Tyranny, Persecution, exorbitances*, of Popish Prelates, and Clergy men, which have over-spred, corrupted, infested the Church and people of God? And whether former examples of this kinde may not justly lesson us to beware of the like Error for the present, though our Ministers who claime this Ecclesiastical Jurisdiction now contested for by a Divine Right be never so Godly, upright, discreet, humble, conscientious, since we know not what many of our Ministers, Elders, who must

b. See Institut Cod. I. Tit. 7. De Episcopali Audientia Capit. Ca- roli et Ludo- vie Jap. I. 6. cap. 301. 313. 314. 322. 323 326. 330. lib. I throughout. Leges Wif- goth l. 2. c. 29. 30.

exercise it in the Country are for the present ; or what the best of them all or their successors at least may prove for the future, (m) (ambition being a *Act 20. 29.* mans first sinne and most pleasing to our corrupt Natures; as we see by the 31. example of [u] Christ's owne Apostles, and daily experiences every where,) *2 King 8. 12.* especially when they have engrossed more Ecclesiastical power into their *Eccles. 21. 19.* hands by pretext of a Divine Right, then ever the expressie Law of God, *1 Gen. 3. 5. 6.* or Christ Himselfe in his Gospell hath delegated to them. It is very obser. *3. John 9. 10.* vab.e, that while the (o) Popes claimed their Papacy and Superiority over *m. Mat. 20. 30.* other Churches by granes and donations from the Christian Emperors of *to 29. Luke 22.* *Rome*, they were very humble, loyall, and obsequious to them. But after the *24 to 31.* long enjoyement of their transcendent jurisdiction by imperiall donations *[u] See Philip de Morney his* *Misterie of ini-* *cient claime, and challenge both their Papacy and Supremacy by a divine quity, Carolus Molinus,* *Commentari: in* *Edict: Henrici secundi, &c.* *contra parvas* *datas, &c. Ab-* *bas uspergenfis* *Platina &* *Balaus de* *vitis Pontifici-* *cum Romano-* *rum: Grimston* *Imperiall His-* *Story.*

Right from Christ Himselfe, by wresting divers Scriptures to their purpose, (and some of those among others which our Divines now principally insist upon,) they presently cast off both their subjection & Loyalty to the Emperours at once; & so prosecuted them with Excommunications, Interdicts suspensions, rebellions, force of Armes, and parties rayled against them in their owne Empires; that at last they quite trampled them under their feete, disposing of their Crownes at pleasure, making them sware solemne homage to them as their Vassalls, and to hold their Imperiall Crownes from them alone, who formerly did homage to, and held their Bishopricks, with all the Papall Jurisdiction they enjoyed onely from them : Yea if our Presbyteries, Clasies or Independent Congregations now pretend to, by a Divine Right; and the Parliament their power, authority, only by a meer humane Institution, and not by as cleare a Divine Right as theirs ; the next consequence I feare will be (and we see it already maintained in some [x] Presbyterians, and more [y] Independents printed *(x) Mr. Ru-* *therford.* *(y) Mr. John* *Goodwin.* *Master Henry* *Burton, Mr.* *Saltmarsh.* *Mr. Robinson.*) That our Parliaments, Kings, and temporall Majistrates must have nothing at all to do with Church Officers or Church Government by way of direction, correction, or appeale, but merely as their subordinate Ministers, to ratifie their determinations, and enforce obedience to their censures ; which if they neglect or refuse to doe, or stop their proceedings by any Prohibitions, or legall course, for ought I know, when their Divine pretended Authority is setled to their mindes, the next thing they shall heare of will bee ; that which our Kings, Judges, and Officers did heretofore from our Clergy in *Archbishop Boniface* his time, when they opposed their extravagances, even a serious admonition to obey their *Provinc. 1. 5.* ** Lindwade,* *Dictates, and after that an Interdiction of all their Lands, Castles, Townes, Tit. de Panis* with a suspension of them from the Sacrament, or excommunication from *f. 226. &c. 10.* or Non-communion with their *Congregations* for this Contumacy : *And de Aton Conf.* *then Lord have mercy upon us miserable sinners*, we may sooner bewayle then remove that spiritual Yoak of bondage which we thus suffer voluntarilie to be imposed both on our owne and others neckes. It being a very difficult task to moderate, abate, regulate or supprese any Ecclesiastical

Ecclesiastical jurisdiction, though never so exorbitant, especially if once legally settled, or but intricated by color of a Divine Right, as we see by the *Papacy*, and our late exploded *Prelacy*.

I shall therefore close up all with the Apostles seasonable advice, *Gal. 5.1.*
Stand fast therefore in the liberty wherwith Christ hath made us free and be not againe intangled with any Yoake of Bondage, which Christ himselfe hath not imposed on us by a cleare and evident institution in his word: *Christ's Yoake is easie, and his burthen light*, to which all people must with cheerfulness submit: if the *Presbyterians* yoake, in suspending men from the *Sacrament* for all kind of supposed scandals, though they professe unsaintly penitence for al their sins, & earnestly desire to receive it; or the *Independents* Yoake, in non-admitting or secluding those from their Congregations whom they judge not *real Saints*, or will not subscribe to their private Church Covenants, (without any expresse precept or president in Scripture, to warrant these their practises, proceedings) bee not such, we may justly suspect and reject them too, as none of Christ's.



FINIS.



